IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 3104 of 2004

Between:

Nawaz Rice Mill, Door No.5-253, Jeelan Manzil, Tadipatri-515 411, Anantapur District rep., by its Proprietor Jeelan Basha, s/o Jafar Mohiuddin.

..... PETITIONER

AND

The Branch Manager, Andhra Pradesh State Financial Corporation, having registered office at 5-9-194, Chirag- Ali-Lane, Abids, Hyderabad, and having a branch office near Collectorate, behind Pennar Bhavan, Anantapur-515 001, Anantapur District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a direction or order or writ, more particularly one in the nature of writ of mandamus declaring the action of the respondent in putting the petitioner's rice-mill bearing Door No.5-253, Jeelan Manzil, Tadipatri in Anantapur District to sale, as illegal, arbitrary and consequently direct the respondent to give reasonable time to the petitioner for paying-off the interest on the outstanding loan amount

Counsel for the Petitioner:MR.M.GOVIND REDDY (NOT PRESENT)

Counsel for the Respondent : MR.Y.N.LOHITA.

The Court made the following :

THE HONOURABLE SRI JUSTICE B. PRAKASH RAO

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WRIT PETITION NO. 3104 OF 2004

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ORDER:-

This matter had come up on 29-7-2004 and as none appeared and there is no representation, the matter is adjourned. Even today, when the matter is called, none appeared on behalf of the petitioner and there is no representation.

Heard the learned Standing Counsel for the Corporation. The petitioner herein seeks to assail the action of the respondent in putting the petitioner's rice mill to sale towards the recovery of the amount. It is submitted by the learned Standing Counsel for the Corporation that the question sought to raise in this writ petition is squarely covered by the Judgment of the Supreme Court in **STATE FINANCIAL CORPORATION vs M/S JAGADAMBA OIL MILLS.**

Following the said Judgment, this writ petition is dismissed. No costs.

4—08—2004.

Stv/-

To

1. The Branch Manager, Andhra Pradesh State Financial Corporation,

5-9-194, Chirag- Ali-Lane, Abids, Hyderabad,

2. Two CD copies.